

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIONNE K. THOMPSON ,

Plaintiff,

-v-

No. 11 Civ. 5635 (LTS)(RLE)

AMERIFLEX, et al.,

Defendants.
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ORDER

Plaintiff Dionne K. Thompson ("Plaintiff") moves for certification of an order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b). Under Section 1292(b), a district court may certify an immediate appeal of an interlocutory order if the court is "of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation." 28 U.S.C.A. § 1292(b) (West 2006). Interlocutory appeal as provided for in § 1292(b) "is a rare exception to the final judgment rule that generally prohibits piecemeal appeals." Koehler v. Bank of Bermuda Ltd., 101 F.3d 863, 865 (2d Cir.1996). However, Plaintiff does not cite which order she is appealing and there is no order that has been filed by the Court on the docket sheet that would satisfy the requirements for interlocutory appeal under 28 U.S.C. § 1292(b). Accordingly, Plaintiff's motion is denied.

This Order resolves docket entry number 92.

SO ORDERED.

Dated: New York, New York
January 10, 2013



LAURA TAYLOR SWAIN
United States District Judge

